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PATENT
Attorney Docket 44921-5119-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Arthur CASTLE *et al.***)

Application No. **10/633,306**)

Filed: **August 4, 2003**)

For: **METHODS FOR CLASSIFICATION
OF BIOLOGICAL DATA**)

Group Art Unit: **3725**

Examiner: **Not Assigned**

Commissioner for Patents
U.S. Patent and Trademark Office
2011 South Clark Place
Customer Window
Crystal Plaza Two, Lobby, Room 1B03
Arlington, VA 22202

Sir:

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants petition the Examiner to consider this Information Disclosure Statement and documents listed on the attached PTO-1449. To the best of the undersigned's knowledge, this Information Disclosure Statement is being filed before the mailing date of a first Office Action on the merits for the above-referenced Application. Accordingly, Applicants do not believe a fee is due for filing this Supplemental Information Disclosure Statement.

Copies of the listed documents are enclosed. Applicants respectfully request that the Examiner consider the listed documents and indicate that the documents have been considered by making appropriate notations on the attached form.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies the document as "prior art" against any claims in the application and Applicants determine that the cited document does not constitute "prior art"

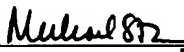
under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such document.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

EXCEPT for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R. §§1.16 and 1.17 which may be required, including any required extension of time fees, or to credit any overpayment to Deposit Account No. 50-0310. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Dated: **November 4, 2004**
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Respectfully submitted,
Morgan, Lewis & Bockius LLP



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| INFORMATION DISCLOSURE CITATION (Use several sheets if necessary) PTO Form 1449 | Attorney Docket No. 044921-5119-US | Application No. 10/633,306 |
| | Applicants: Arthur CASTLE et al. Page 1 of 1 | |
| | Filing Date: August 4, 2003 | Group Art Unit: 3725 |

| U.S. PATENT DOCUMENTS | | | | | | | |
|-----------------------|--|-----------------|------|------|-------|-----------|-------------|
| Examiner Initial | | Document Number | Date | Name | Class | Sub Class | Filing Date |
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| FOREIGN PATENT DOCUMENTS | | | | | | | | |
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| OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.) | | |
|--|---|--|
| 1. | Hamadeh <i>et al.</i> (2002) "Prediction of Compound Signature Using High Density Gene Expression Profiling" <i>Toxicol. Sci.</i> 67 : 232-240 | |
| 2. | MacGregor <i>et al.</i> (2001) "In Vitro Human Models in Risk Assessment: Report of a Consensus-Building Workshop" <i>Toxicol. Sci.</i> 59 : 17-36 | |
| 3. | Salter & Nilsson (2003) "Informatics and multivariate analysis of toxicogenomics data" <i>Drug. Discov. & Dev.</i> 6(1) : 117-122 | |
| 4. | Steiner <i>et al.</i> (2004) "Discriminating Different Classes of Toxicants by Transcript Profiling" <i>Environ. Health Perspect.</i> 112 : 1236-1248 | |
| 5. | Sutter <i>et al.</i> (2002) "Multiple Comparisons Model-based Clustering and Ternary Pattern Tree Numerical Display of Gene Responses to Treatment: Procedure and application to the preclinical evaluation of chemopreventative agents" <i>Mol. Cancer Ther.</i> 1 :1283-1292 | |
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| Examiner | Date Considered |
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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.